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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,851	12/21/2000	Chifei Wei Cheng	CISCP648	2199

26541 7590 08/13/2003

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12930 SARATOGA AE. SUITE D1  
SARATOGA, CA 95070

EXAMINER

PATEL, HARESH N

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 08/13/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/745,851

Applicant(s)

CHENG, CHIFEI WEI

Examiner

Haresh Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

### **DETAILED ACTION**

1. Claims 1-20 are presented for examination.

#### ***Drawings***

2. Figures 1, 2 and 3 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

#### ***Information Disclosure Statement***

3. An initialed and dated copy of Applicant's IDS form 1449, Paper No. 4, is attached to the instant Office action.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Chiu et al. 6,597,689 (Hereinafter Chiu).

6. As per claims 1, 6, 11 and 16, Chiu teaches the following:

a method for a first device to establish a link between the first device and a second device, comprising,

a computer program product for enabling a first device to establish a link between the first device and a second device, said computer program product comprising,

a first device that establishes a link to a second device, said first device comprising, apparatus for a first device to establish a link between the first device and a second device, said apparatus comprising,

transmitting a disconnect request message from the first device to the second device (e.g., indication to Q93B that a previous SSCOP connection has been disconnected, confirm to Q93B that a previous SSCOP disconnection request, through an ASD\_EVTDISCREQ message, has succeeded, col. 75, table P) in response to a data link establish request (e.g., confirm to Q93B that a previous request to establish an SSCOP connection has succeeded, col. 75, table P); and

transmitting a request for connection to establish link message from the first device to the second device upon one of expiration of an awaiting-response timer (e.g., A SYS\_SVCS SE 452 is a special function block which comprises a set of SEs that will handle memory management, timer management, and inter-task communication, col. 66, lines 30-38, After x amount of time has passed and the bit is still set, the IMAS now knows that the predetermined threshold has passed and the call can be terminated, col. 90, lines 30-38), receiving a disconnect mode message from the second device (e.g., indication to Q93B that a previous SSCOP connection has been disconnected, confirm to Q93B that a previous SSCOP disconnection request, through an

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ASD\_EVTDISCREQ message, has succeeded, col. 75, table P), or receiving an acknowledgement message from the second device (e.g., AMT\_DROPPTYREQ Request to Q93B to drop a Q93B CALLC party, from a point-to- multipoint connection, by generating a DROP PARTY or DROP PARTY ACKNOWLEDGE message, col. 71, table I).

7. As per claims 2-5, 7-10, 12-15 and 17-20, Chiu teaches the following:

the disconnect request message transmitted by the first device to the second device includes a poll bit set to 0 (e.g., After x amount of time has passed and the bit is still set, the IMAS now knows that the predetermined threshold has passed and the call can be terminated, col. 90, lines 22-38),

setting an awaiting-response-to-the disconnect-message flag in response to receiving the data link establish request (e.g., request to set the value of a MIB variable with a specified identification to a specified value, col. 67, table D),

after transmitting the disconnect request message to the second device and upon receiving an acknowledgement message from the second device (e.g., After x amount of time has passed and the bit is still set, the IMAS now knows that the predetermined threshold has passed and the call can be terminated, col. 90, lines 22-38), determining if the awaiting-response-to-the disconnect-message flag is set (e.g., request to set the value of a MIB variable with a specified identification to a specified value, col. 67, table D), wherein the first device transmits the request, for connection to establish link message to the second device upon receiving an acknowledgement message from the second device only if the awaiting-response-to-the disconnect-message flag is set (e.g., AMT\_DROPPTYREQ Request to Q93B to drop a Q93B

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CALLC party, from a point-to- multipoint connection, by generating a DROP PARTY or DROP PARTY ACKNOWLEDGE message, col. 71, table I),

disconnect request message comprises a DISC message as specified by ITU Recommendation Q.921 (e.g., the layer 2 protocol field refers to the layer 2 protocol information for this connection, In accordance with ATM UNI specification v. 3.1, the following layer 2 protocols can be specified in this field of the Connect Info Table: Basic Mode ISO 1745 ITU-T Recommendation Q.921 ITU-T Recommendation X.25, col. 84. lines 18-34).

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

See Form PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (703) 605-5234. The examiner can normally be reached on Monday-Friday from 8:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee, can be reached at (703) 305-8498.

The appropriate fax phone number for the organization where this application or proceeding is assigned is (703) 306-5404.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Haresh Patel

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August 5, 2003.

A handwritten signature in black ink, appearing to read 'J. Follansbee', written in a cursive style.

JOHN FOLLANSBEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100